

## EXECUTIVE SUMMARY

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### Background

In April 2000, the Assistant Secretary for Administration, Paul Fiddick, commissioned the development of a plan for long-term improvement of USDA's Office of Civil Rights (CR).

The decision was a result of:

- continuing operational problems encountered by CR in its efforts to efficiently process ongoing employment and program complaints timely and to eliminate the large inventory of complaints
- continuing issues raised by employees, program participants, and members of Congress regarding the effectiveness and responsiveness of CR, and
- the need to ensure that each employee and customer of USDA receives due process when complaints are filed.

An Acting Deputy Director for CR was appointed as a Chief Operations Officer and was given the responsibility to develop the plan.

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### Objective of the Plan

The objective of the plan is to determine actions, changes and resources necessary to fundamentally improve operations in CR so that employment and program complaints of discrimination will be consistently, effectively, and timely processed.

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### About the Solutions in the Plan

The solutions in the plan are based on the actions and changes necessary to effectively and efficiently process employment and program complaints under normal operations. It does not address special actions necessary to eliminate the current inventory of complaints.

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### Elimination of the Complaint Inventory

Several partial complaint inventory elimination initiatives were conducted in the past. None of the previous initiatives addressed the "end-to-end" elimination of complaints. Therefore, by the time those initiatives were completed, a new inventory had accumulated at a different part of the process.

The complaint inventory cannot be eliminated solely with the current staffing levels and impediments.

A special comprehensive complaint inventory elimination initiative needs to be considered as a special project apart from this plan. The initiative should consider the use of contractors and temporary

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### **Elimination of the Complaint Inventory,** *continued*

appointments to help eliminate the complaint inventory in its entirety.

It should be noted, to eliminate the current inventory of employment complaints and program complaints will take an extended period of time, at considerable cost.

The goal is to eliminate the entire complaint inventory and be left with a normal complaint workload.

The major impediments to a comprehensive inventory elimination initiative are costs and securing the proper knowledge and skills to address the issues in the complaints. This is particularly true for program complaints because of their uniqueness to USDA.

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### **How Complaints Are Processed**

Complaints go through several steps to final disposition. A complaint must be:

- Received
- Tracked
- Reviewed for acceptance
- Accepted or dismissed
- Investigated, if accepted (program complaints are investigated by in-house investigators and employment complaints are investigated by contract investigators), and
- Adjudicated (Final Agency Decision rendered).

If the actions on complaints are ineffective at any of these steps, the subsequent steps are negatively impacted. This can result in backlogs, delays, increase in investigation costs, lost files, poor quality decisions, dissatisfaction, and exposure on appeal.

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### **Major Findings**

The assessment reveals that the major reasons CR is unable to meet complaint processing time requirements are as follows:

#	Reason	Comment
1	Insufficient staffing	There is insufficient staff to handle the average number of complaints filed. (Temporary staff has often been used, which compounds the problem because of high turnover and a lack of expertise.) This is the priority problem identified by the employee impediments survey (Exhibit D) and is supported by the work / time study (Exhibit H).

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### Major Findings, continued

#	Reason	Comment
2	Insufficient training	Employees are insufficiently trained to perform their jobs. This was the second most frequently-mentioned finding in the employee survey.
3	Lack of program knowledge	In several areas the staff lacks sufficient knowledge of the programs for which the complaints are filed. (This is a significant impediment for processing program complaints.)
4	Inefficient work flow processes	The systems and processes for handling complaints through the complaint life cycle are inadequate. (This causes lost files, delays, inaccurate accounting.)
5	Inefficient automated tracking systems	The automated systems for tracking and processing complaints are inefficient. (This causes delays in complaint processing, redundancies in record-keeping, inaccurate accounting.)

### Benchmark Study of Staffing Needed versus Caseload

A **benchmark study** of civil rights staffing of the U.S. Treasury employment complaint function revealed that USDA CR's office is significantly understaffed. This is based on a comparison of their staffing levels for processing a relative number of employment complaints.

Treasury has a similar-sized workforce and receives a relative number of employment complaints. For example, using FY-1999 as a baseline, the following reflects the comparison of caseload to staffing levels, for employment complaint processing:

Description	USDA	Treasury	Comment
Workforce	112,700	127,000	Workforce served.
Complaints filed in FY-1999	972	1478	This reflects the total number of complaints filed for the FY.
Staffing levels	29	82	Using the comparison alone USDA CR staff needs to be increased to 52.55 to have the same relationship to the number of complaints filed at Treasury.
Complaints per CR employee	33	18	
Average Days to Closure	678	361	Note: Even with a staff more in line with complaints filed, Treasury still averaged 361 days to process cases to closure.

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**Benchmark  
Study of Staffing  
Needed versus  
Caseload,  
*continued***

Because complaint processing for employment and programs is similar, the conclusion from the Benchmark Study that the USDA has insufficient staff for processing employment complaints can be applied to the staffing levels for program complaints.

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**Conclusion**

Implementation of the solutions in this plan are critical if long-term improvements are to be accomplished in CR. If the solutions are not implemented, it is unlikely that CR's operations will significantly improve in the future.

Therefore, acquisition of the resources is necessary for implementation and must be provided (e.g., funds for additional staff, training, automation enhancements, consultants, etc.).

Implementation of the solutions in this plan will be slow and laborious; it will not happen overnight.

A special initiative is needed for the elimination of the inventory for both employment and program complaints. It is an essential prerequisite to the successful and full implementation of the solutions in this plan.

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